

REMARKS/ARGUMENTS

1. In the above referenced Office Action, the Examiner rejected claims 1, 6, 9, and 15 under 35 USC § 102 (b) as being anticipated by Farrell (U.S. Patent No. 5,510,740); and claims 4, 5, 13, 14, and 17 under 35 USC § 103 (a) as being unpatentable over Farrell (U.S. Patent No. 5,510,740) in view of Okada (U.S. Patent No. 4,306,198). In addition, the Examiner rejected claims 5 and 14 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 2, 3, 7, 8, 10-12, and 18 have been objected to for being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and all intervening claims. These rejections have been traversed and, as such, the applicant respectfully requests reconsideration of the allowability of claims 1 - 18.
2. Claims 5 and 14 have been rejected under 35 USC § 112, second paragraph. These claims have been amended to overcome this rejection.
3. Claims 1, 6, 9, and 15 have been rejected under 35 USC § 102 (b) as being anticipated by Farrell. Claims 1 and 9 have been amended to include the limitation that the pulse signal is produced independently of a clock. With this added limitation, the applicant reasserts the arguments presented in the Appellant Brief of 3/25/03.

In the present office action, the Examiner stated in the Response to Arguments section that with respect to the Applicant's position that Farrell's invention requires a clock signal to operate wherein Applicant's invention does not require one, the Examiner does not dispute with the assertion. However, art rejections are based on the recitation of the claims, not what is disclosed in the specification. Accordingly, since this is now a limitation of the claim, by the Examiner's own admission, the invention as claimed in claims 1 and 9 is not anticipated by Farrell. Thus, claims 1, 6, 9, and 15 overcome the present rejection.

4. Claims 4, 5, 13, 14, and 17 have been rejected under 35 USC § 103 (a) as being unpatentable over Farrell in view of Okada. Claims 1, 9, and 17 have been amended to include the limitation that the pulse is produced independent of a clock. In light of the foregoing reasons present above with respect to Farrell, the combination of Farrell with Okada fails to render the present invention as claimed in claims 4, 5, 13, 14, and 17 obvious. Thus, claims 4, 5, 13, 14, and 17 overcome the present rejection.

5. For the foregoing reasons, the applicant believes that claims 1 - 18 are in condition for allowance and respectfully request that they be passed to allowance.

6. The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present invention.

RESPECTFULLY SUBMITTED,

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<p>CERTIFICATE OF MAILING 37 C.F.R 1.8</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on the date below:</p> <p><u>10/6/03</u> <u>Diane Hudson</u> Date Signature</p>	
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